



Attorney Docket No. 12624US06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 10/816,119

Filing Date: April 1, 2004

Patent Application Of:

Stephen D. Julstrom, et al.

Group Art Unit : 2643

Confirmation No. 8489

Examiner: Not yet assigned

For: MULTI-COIL COUPLING
SYSTEM FOR HEARING AID
APPLICATIONS

CERTIFICATE OF MAILING

I hereby certify that this paper is being
deposited with the United States Postal
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EV 436262667US, postage prepaid, in an
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Parts, Commissioner for Patents, P.O. Box
1450 Alexandria, VA 22313-1450 on

10/11/2004
[Signature]
Fredrick T. French III
Registration No. 52,524
Agent for Applicants

PETITION UNDER 37 C.F.R. §1.182
RESPONSE TO NOTICE OF OMITTED ITEM OF NONPROVISIONAL
APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.182, Applicant's representative respectfully petitions for acceptance of this submission of Figure 30B described in the specification of the non-provisional patent application referenced above (the "Application"), in response to the Notice of Missing Parts Of A Nonprovisional Application, mailed August 9, 2004, a copy of which is attached. A copy of

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130.00 OP

Figure 30B is also enclosed.

Applicant's representative respectfully submits that Figure 30B of the Application is identical to Figure 30B of United States Patent Application Serial No. 10/356,290 filed January 31, 2003, (Attorney Docket No. 12624US04), the complete subject matter of which is incorporated by reference by the Application. Applicant submits that the enclosed copy of Figure 30B is identical to that found in the incorporated application, that no new matter is being added, and that a supplemental oath or declaration is, therefore, not required.

In accordance with 37 CFR 1.17(h) a check for \$130.00 is enclosed to cover the petition fee. If any other fees are due as a result of filing this petition, the Commissioner is hereby authorized to charge any fees associated with the filing of this petition, or deposit any overcharge and refunds, to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Date: 10/11/2004

Respectfully submitted,



Fredrick T. French III
Registration No. 52,524
Agent for Applicants

McANDREWS, HELD & MALLOY, LTD.
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10-13-04

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,119	04/01/2004	Steven D. Julstrom	12624US06

23446
MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

CONFIRMATION NO. 8489

FORMALITIES LETTER



OC00000013472097

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Date Mailed: 08/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 20, 27, 28.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **30B** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE